

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C 10-03561 WHA

Plaintiff,

v.

**ORDER TO SHOW CAUSE
WHY THE PENDING MOTION
TO DISMISS SHOULD NOT BE
DENIED AS MOOT**

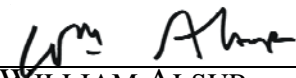
GOOGLE, INC.,

Defendant.

On October 4, 2010, defendant Google, Inc. moved to dismiss, or in the alternative, for a more definite statement regarding plaintiff Oracle America, Inc.'s copyright infringement claim in this Java-fueled battle over the Android platform. Just yesterday, however, a day before its opposition brief to the motion was due, plaintiff Oracle America, Inc. filed an amended complaint altering and augmenting its copyright infringement allegations. Given this development, Google is **ORDERED TO SHOW CAUSE** why its pending motion to dismiss should not be denied as moot (without prejudice, of course, to Google filing a fresh Rule 12 motion targeting the claims as pleaded in plaintiff's newly minted complaint). A response to this order is required no later than **NOON ON MONDAY, NOVEMBER 1.**

IT IS SO ORDERED.

Dated: October 28, 2010.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE